

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

MARC SIGMUND,

Defendant.

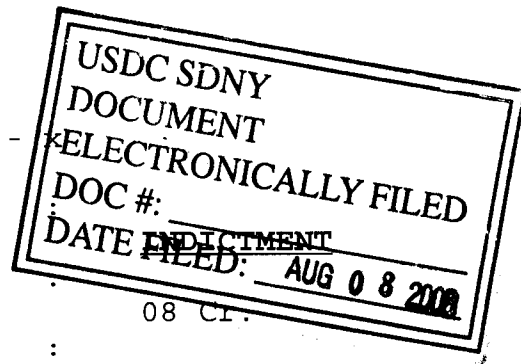
08 CRIM 740

COUNT ONE

The Grand Jury charges:

1. From at least in or about 1997, up to and including at least in or about February 2004, in the Southern District of New York and elsewhere, MARC SIGMUND, the defendant, and others known and unknown, unlawfully, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that MARC SIGMUND, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, 1000 kilograms and more of mixtures and substances containing a detectable amount of marijuana, in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A).



OVERT ACT

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, were committed in the Southern District of New York, and elsewhere:

a. From in or about 1997 through in or about 2003, a co-conspirator not named as defendant herein ("CC-1") met other co-conspirators at numerous locations in Manhattan to discuss plans for future marijuana deals. At a number of these meetings, CC-1 provided the other co-conspirators with cash from drug proceeds for their participation and to pay the marijuana suppliers for shipments that had already been received.

b. In or about early 2004, MARC SIGMUND, the defendant, and other co-conspirators traveled to upstate New York, at CC-1's direction, to receive a shipment of marijuana.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION AS TO COUNT ONE

4. As a result of committing the controlled substance offense alleged in Count One of this Indictment, MARC SIGMUND, the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One

of this Indictment, including but not limited to the following:

a. A sum of money of at least \$55 million in United States currency, representing the amount of proceeds obtained as a result of the narcotics conspiracy, for which the defendants are jointly and severally liable.

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;

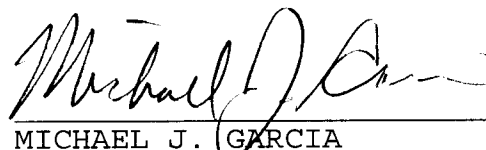
d. has been substantially diminished in value;
or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1), 846 and 853.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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MARC SIGMUND,

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INDICTMENT

08 Cr. _____

(Title 21, United States Code, Section 846.)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL

Cynthia Parasquillo
Foreperson.

8/8/08 Indict File 1. Case assigned to Rakoff, J.
Ellis, USMD.